

REMARKS

Claim Rejections

Claims 1, 2, 11, 12 and 20 are rejected under 35 U.S.C. § 102(b) as being anticipated by Comstock et al. (U.S. 5,211,572). Claims 3, 4, 13 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Comstock et al.

Drawings

Applicant has amended Figures 1 and 2, as illustrated on the attached formal drawings, accompanied by a Letter to the Official Draftsperson. Figures 1 and 2 were amended to add the label --PRIOR ART--. No "new matter" has been added to the original disclosure by the amendments to these figures. It is believed that the foregoing proposed amendments obviate the outstanding objections to the drawings. Entry of the corrected formal drawings is respectfully requested.

Abstract of the Disclosure

Applicant is submitting a Substitute Abstract of the Disclosure for that originally filed with this application to more clearly describe the claimed invention. Entry of the substitute Abstract of the Disclosure is respectfully requested.

Amendments to Specification

Applicant has amended the specification as noted above to cure obvious grammatical and idiomatic inaccuracies. No "new matter" has been added to the original disclosure by the foregoing amendments to the specification.

Claim Amendments

By this Amendment, Applicant has amend claims 1-3, and 12-14 of this application. It is believed that the amended claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art.

Comstock et al. teaches a security locking key (22) is inserted into a vacant open space (32) beneath a depressible portion (26) and a latch arm portion (24) of

latch means (20), in the direction of arrow "D". When it is desirable to remove the locking key (22) from its locked position of FIG. 5, the operator must remove the locking key (22) by effecting both lifting and bending, whereby the locking key (22) is twisted or bent transversely of its insertion direction "D". Specifically, as shown in FIG. 2, the operator lifts on tether portion (34) of the locking key (22) in the direction of arrow "H", above the height of stop bosses (60), and then proceeds to bend the locking key (22) in the direction of double-headed arrow "G" in order to unlock the locking key (22). As described above, it is clear that the locking key (22) of Comstock et al. is removed in a way different from that of the retaining device of the present invention.

The locking key (22) of Comstock et al. is removed in a way different from that of the retaining device of the present invention. Comstock et al. states, column 2, lines 17-20:

The invention contemplates the provision of complementary interengaging retaining means between the connector and the locking key to prevent removal of the key opposite the given or insertion direction.

Further, in independent claim 1, Comstock et al. states:

wherein the improvement comprises complementary interengaging retaining means between the connector and the locking key to prevent removal of the key opposite said given direction. . . .

Comstock et al. do not teach a retaining device comprising a main portion insertable in a first direction into said space beneath the pressing portion to prevent latching of the latch, the retaining device being removable upon movement of the retaining device in a second direction opposite to said first direction.

It is axiomatic in U.S. patent law that, in order for a reference to anticipate a claimed structure, it must clearly disclose each and every feature of the claimed structure. Applicant submits that it is abundantly clear, as discussed above, that Comstock et al. do not disclose each and every feature of Applicant's new and amended claims and, therefore, could not possibly anticipate these claims under 35 U.S.C. § 102. Absent a specific showing of these features, Comstock et al. cannot be said to anticipate any of Applicant's new and amended claims under 35 U.S.C. § 102.

It is further submitted that Comstock et al. do not disclose, or suggest any modification of the specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Thus, it is not believed that Comstock et al. render obvious any of Applicant's new and amended claims under 35 U.S.C. § 103.


Summary

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

Date: May 2, 2005

By:



Bruce H. Troxell
Reg. No. 26,592

TROXELL LAW OFFICE PLLC
5205 Leesburg Pike, Suite 1404
Falls Church, Virginia 22041
Telephone: 703 575-2711
Telefax: 703 575-2707

Application No. 10/724,716

IN THE DRAWINGS:

Enclosed are new formal drawings of Figures 1 and 2, accompanied by a Letter to the Official Draftsperson. In Figures 1 and 2, the legend --PRIOR ART-- has been added.